

ENTERED

October 20, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAMES MICHAEL GRAY,

Petitioner,

V.

PATRICK FLANAGAN, *et al.*,

Respondents.

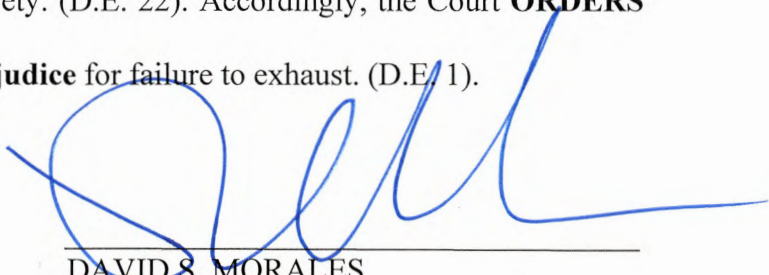
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CIVIL ACTION NO. 2:24-CV-00031

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation ("M&R"). (D.E. 22). The M&R recommends that the Court dismiss the petition without prejudice for failure to exhaust. *Id.* at 2. The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed.¹ When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Having reviewed the proposed findings and conclusions of the Magistrate Judge, the parties' filings, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 22). Accordingly, the Court **ORDERS** that this petition be **DISMISSED without prejudice** for failure to exhaust. (D.E. 1).

SO ORDERED.


 DAVID S. MORALES
 UNITED STATES DISTRICT JUDGE
Signed: Corpus Christi, Texas
October 20th, 2024

¹ On September 9, 2024, the Court received Petitioner's certified mail receipt for the D.E. 22 M&R. (D.E. 24). No objections have been filed since that time.